

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ALTOGRACIA MORALES,

Plaintiff,

vs.

USCIS AND USICE,

Defendants.

No. CV-12-3001-LRS

ORDER OF DISMISSAL

The *pro se* Plaintiff, proceeding *in forma pauperis*, has filed a Complaint against the Defendants with allegations purportedly stemming from Plaintiff's immigration/removal status proceedings. On March 12, 2012, the Court reviewed the Complaint for legal and factual sufficiency. The Court has determined that the Complaint fails to comply with Federal Rule of Civil Procedure 8(a). For instance, the Complaint requests this Court to provide an "opportunity to prove her right for Cancellation of Removal." ECF No. 4, at 3. Plaintiff further requests "[a]n order that the USCIS will immediately grant a work permit status and LPR Status through Cancellation of Removal" *Id.* at 2.

When a complaint is dismissed under 28 U.S.C. §1915, the plaintiff should be given leave to amend the complaint with directions as to curing its deficiencies, unless it is clear from the face of the complaint that the deficiencies could not be cured by amendment. *Noll v. Carlson*, 809 F.2d 1446, 1448 (9th Cir.1987) (dismissal for failure to state a claim). The Court finds that the deficiencies herein cannot be cured by any amendment. Any remedy in this Court will have to await

1 deportation proceedings. The Court hereby dismisses Plaintiff's action without
2 prejudice.

3 **IT IS HEREBY ORDERED:** Plaintiff's action is **DISMISSED** without
4 prejudice.

5 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
6 Order, provide a copy to plaintiff, and **CLOSE THIS FILE.**

7 **DATED** this 27th day of March, 2012.

8 *s/Lonny R. Suko*

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LONNY R. SUKO
10 United States District Judge